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SPEECH

OF

MR. CHAS. HUDSON, OF MASS.,

ON THE

THREE MILLION APPROPRIATION BILL.

Delivered in the House of Representatives of the U. S., Feb. 13, 1847.

The House being in Committee of the Whole on the state of the Union upon the Three Million Appropriation bill—

MR. HUDSON said :

MR. CHAIRMAN: No man can contemplate the present state of our affairs without perceiving that we stand in an unnatural position. A conquering republic is a political solecism. With a form of government peculiarly adapted to peace, we find ourselves involved in war—a war of aggression and conquest. Not satisfied with a territory extending from sea to sea, and almost from the rivers to the ends of the earth, we are at this moment engaged in the unholy work of dismembering a sister republic. This position, I repeat, is an unnatural one. I shall not at this time go into the causes of this war; I have attempted that on a former occasion. I endeavored at that time to show that revolutionary Texas never extended beyond the immediate valley of the Nueces; that the whole valley of the Rio Grande west of the desert was in possession of Mexico; that she had military posts there; that she had custom houses east of the river, where our merchants and traders had long been in the habit of paying duties to the Mexican government; that Santa Fe had frequently been recognised by every department of our Government, as a Mexican city, and that we had a consul residing there at the commencement of hostilities; and that the Executive, knowing these facts, invaded that country, threatened Matamoras, and, by blockading the Rio Grande, cut off the supplies of the Mexican army stationed at Matamoras on the west side of the river, and thus commenced an aggressive war, without the authority of Congress. These positions have been distinctly taken, by myself and others, on this floor, in the very face of the President's friends, and they have been challenged to refute them. And what have they done? Just nothing. Some have attempted to meet these positions by reference to a treaty with Santa Anna, which never had an existence; others by referring to old pretended claims, which, if they ever had any validity, were long since relinquished by solemn treaty. The only real attempt at argument which I have heard, was made by the gentleman from Tennessee (MR. STANTON.) He has paraded the Texan statutes before the House to prove that Texas owned the country west to the Rio Grande.

Now, sir, I admit the existence of these statutes, but to what do they

amount? They were passed soon after the Texan revolution, and they profess to lay out the whole country to the east bank of that river into counties. But Texas never was in possession of this country, and these counties and their lines were only imaginary. They were merely counties in the statute book—a system of paper blockades, which every one knows to be illegal, and of no binding force. The gentlemen from Texas have attempted to sustain their claim by the same argument; but, when pressed, they have been compelled to acknowledge that they never had any settlements in the valley of the Rio Grande. One of the gentlemen has said that they raised a company of rangers, which had made incursions into the country west of the desert, and in this way they established their jurisdiction. But the absurdity of such a position is manifest.

[Mr. PILLSBURY here rose and said, that Texas had maintained permanent military possession as far west as she had any settlements.]

I have no disposition to dispute that; she may have held possession as far as she had any population, but that population never extended west of Corpus Christi. Texas never had any settlements in the valley of the Rio Grande.

[Mr. PILLSBURY. The same is true of Mexico. Neither Texas nor Mexico inhabited the country on the east side of that river.]

The gentleman is right, so far as Texas is concerned; but Mexico had settlements there. The documents submitted by the President himself prove that Mexico had military posts in that country; that she had a custom house at Brasos Santiago, and that the Mexicans at Point Isabel fired the town, and fled across the river, at the approach of our army. These documents prove beyond controversy that the Texan claim was invalid; that Mexico was in possession, and hence that the march of our army to the Rio Grande was aggressive on our part, and fully justified the Mexicans in resistance. This is the true state of the case, and I defy any gentleman to refute it.

But, Mr. Chairman, we are pointed to the war of 1812, and to the sentence which has been passed upon those who opposed it. I admit that that war was declared for just cause. I thought so then, and I think so now; and if the war in which we are now engaged was of the same character, it would have my cordial support. I am not among those who believe that war is never justifiable. Great as the evil is, war may justly be resorted to in self-defence or self-preservation. But why point to the war of 1812? If the present war with Mexico can be justified on its merits, why bring the war of 1812 to its aid? The fact is, that the flatterers of the President, who attempt to sustain this war, are conscious of their inability to justify it on its merits, and hence they attempt to associate it with the war of 1812. But what was that war? It was one of defence, declared to protect our trade, to defend our seamen, and sustain our character as a free people. It has justly been denominated, the second war of independence.

Mr. Madison, in his message recommending the war of 1812, among other things, sets forth the following as causes of the war:

“British cruisers have been in the continued practice of violating the American flag on the great highway of nations, and seizing and conveying off persons sailing under it; not in the exercise of a belligerent right founded on the law of nations against an enemy, but of a municipal prerogative over British subjects. The practice hence is so far from affecting British subjects alone, that, under the pretext of searching for these, thousands of American citizens, under the safeguard of national law, and of their national flag, have been torn from their country, and every thing dear to them; have been dragged on board ships of war of a foreign nation,

and exposed, under the severities of their discipline, to be exiled to the most distant and deadly climes, to risk their lives in the battles of their oppressors, and to be the melancholy instruments of taking away those of their own brethren.

"British cruisers have been in the practice also of violating the rights and peace of our coasts. They hover over and harass our entering and departing commerce. To the most insulting pretensions they have added the most lawless proceedings in our very harbors, and have wantonly spilt American blood within the sanctuary of our territorial jurisdiction.

"Under pretended blockades, without the presence of an adequate force, and sometimes without the practicability of applying one, our commerce has been plundered in every sea, the great staples of our country have been cut off from their legitimate markets, and a destructive blow aimed at our agricultural and maritime interests.

"It has come into proof, that, at the very moment when the public minister (of Great Britain) was holding the language of friendship, and inspiring confidence in the sincerity of a negotiation with which he was charged, a secret agent of his government was employed in intrigues, having for their object a subversion of our Government, and a dismemberment of our happy Union."

Mr. Calhoun, the chairman of the Committee of Foreign Affairs, which recommended the resort to arms in 1812, sets forth our grievances somewhat in detail. After giving a brief account of the aggressions committed upon our commerce by the government of Great Britain, and persisted in for a series of years, the committee say:

"We must now proceed to other wrongs, which have been still more severely felt. Among these is the impressment of our seamen, a practice which has been unceasingly maintained by Great Britain in the wars to which she has been a party since our Revolution. Your committee cannot convey in adequate terms, the deep sense which they entertain of the injustice and oppression of this proceeding. Under the pretext of impressing British seamen, our fellow-citizens are seized in British ports, on the high seas, and in every other quarter to which British power extends; are taken on board British men of war, and compelled to serve there as British subjects. In this mode our citizens are wantonly snatched from their country and their families, deprived of their liberty, and doomed to an ignominious and slavish bondage; compelled to fight the battles of a foreign country, and often to perish in them. Our flag has given them no protection; it has been unceasingly violated, and our vessels exposed to danger by the loss of men taken from them. Your committee need not remark, that, while this practice is continued, it is impossible for the United States to consider themselves *an independent nation*. Its continuance is the more unjustifiable, because the United States have repeatedly proposed to the British government an arrangement which would secure to it the control of its own people.

"This lawless waste of our trade, and equally unlawful impressment of our seamen, have been much aggravated by the insults and indignities attending them. Under the pretext of blockading the harbors of France and her allies, British squadrons have been stationed on our own coasts, to watch and annoy our trade. To give effect to the blockade of European ports, the ports and harbors of the United States have been blockaded. In executing these orders of the British Government, or in obeying the spirit which was known to animate it, the commanders of these squadrons have encroached on our jurisdiction, seized our vessels, and carried into effect impressments within our limits, and done other acts of great injustice, violence, and oppression. The United States have seen with mingled indignation and surprise, that these acts, instead of procuring to the perpetrators the punishment due to unauthorized crimes, have not failed to recommend them to the favor of their government.

"Your committee would be much gratified if they could close here the detail of British wrongs; but it is their duty to recite an act of still greater malignity than any of those which have been already brought to your view. The attempt to dismember our Union, and overthrow our excellent Constitution, by a secret mission, the object of which was to foment discontent, and excite insurrection against the constituted authorities and laws of the nation, as lately disclosed by the agent employed in it, affords full proof that there is no bound to the hostility of the British government towards the United States; no act, however unjustifiable, which it would not commit to accomplish their ruin."

These were among the causes of the war of 1812, as detailed by the President of the United States and the chairman of the Committee of Foreign Affairs, in the better days of the Republic, when reliance could safely be placed upon the statements of those high functionaries. And how will those causes compare with the true causes of the war in which we are now engaged? In their causes nothing can be more dissimilar. The one was declared by Congress, the other commenced by the President; the former was declared for just causes, the latter for no adequate cause what-

ever. But the causes of the two wars are not more antagonistical than the objects for which they were commenced and prosecuted. The war of 1812 was a war of defence; the present war is one of aggression; that was carried on for the furtherance of the freedom of the seas, this for the extension of slavery on shore. During almost the whole period of that war, some portion of our territory was in possession of the enemy. We were constantly exposed to attacks upon the coasts, and to incursions of the ruthless savages on our western frontiers. Our ports blockaded, our soil trampled by the foot of the foe, and wet with the blood of our own citizens; the blaze of the cabin in the wilderness, and of the Capitol in this city, all conspired to wake the patriotism of our citizens, and called upon them to avenge the wrongs of their country, and to protect their homes, and defend their wives and their children. But how is it now? Is our country invaded, or even in danger of invasion? Nothing like it. We are spreading all the horrors of war in a foreign country; we are taking the advantage of the weakness and poverty, of the distraction and disorders of a sister republic, to overrun her territory, that we may filch from her a portion of her possessions. We are called upon, not by the dictates of pure patriotism, but by the promptings of a vile ambition, to prosecute this war. We are asked to clothe the President with power to entice the young men of the country from the habits of industry, and from the pursuits of peace, that their bones may bleach upon the sickly plains, or amid the mountain passes of Mexico. Does not this hasty glance at the two wars show at once, and conclusively, that there is no just comparison between them? They are, in fact, the very antipodes of each other. In their causes, and the purposes for which they are prosecuted, they are as far asunder as the poles. The one was just, the other is unjust; the former was defensive, the latter is aggressive; that was prosecuted in defence of freedom, and this is waged to extend slavery.

But, Mr. Chairman, we are told that we must stand by our country in time of war; that war is the law of the land, and, like all other laws, must be obeyed by every good citizen. I readily admit that every patriot should stand by his country, and is bound to obey the laws of the land. But this is perfectly consistent with withholding supplies. We, as members of Congress, are as much bound by the laws of the land as private citizens. Nay, we are placed here to support the laws, and to preserve them inviolate. And first and foremost in this list is the supreme law of the land, the Constitution of the United States. Every member, in taking his seat, takes upon himself a solemn oath to support the Constitution of the country. Now, one of the great objects of that sacred instrument is to secure popular rights, and this is to be effected by keeping each department of the Government distinct and separate. The President is entrusted with the power of executing the laws, but the power of making them is devolved upon Congress. If we attempt to encroach upon the Executive, we violate our organic law; and we are guilty of a similar violation, if we tamely submit to the encroachments of the Executive upon the prerogatives of Congress. In relation to war, it is the prerogative of the President, as commander-in-chief, to direct the military movements; but the framers of the Constitution have wisely vested in Congress the whole subject of supplies, whether it be of money or of men. "Congress shall have power to raise and support armies," is the language of the Constitution itself. If we think the President is prosecuting a war for an improper object, or an unholy end, it is not only our right, but our duty, to restrain him; and this can only be done by

withholding from him the means of carrying it on. And, by so doing, we violate no law. If any expense has been incurred by authority of law, the faith of the nation is pledged, and Congress have no moral right to withhold the appropriation. But, when they are called upon to make new grants of men and money, they have the right to exercise their own judgment, and to grant or withhold, as they may think proper. Besides, our ordinary appropriation bills are prospective in their character, and have reference solely to future operations.

But, Mr. Chairman, it has been more than insinuated on this floor, that we have no constitutional power to withhold supplies. No constitutional power! I would gladly ask in what department of the Government the law-making power is placed by the Constitution? Is it given exclusively to the Executive? Such must be the fact, if intimations thrown out here, are to be regarded as the fundamental law. But every man, who is but superficially acquainted with the structure of our Government, knows that the law-making power is vested in Congress—that the Senate and the House hold the men and the money in their hands, and can give or withhold them at their pleasure. This is a power inherent in every free government; and to say that we do not possess it, is to say that we are already under a military despotism. According to this doctrine, when war is once commenced, the President has absolute power, and may command the resources of the country to an unlimited extent. He may call out what force he pleases, and march them wherever his ambition shall dictate. Suppose, in the case before us, that Mexico should declare to us, and to the world, that she was disposed to treat with us on the most favorable terms—terms perfectly satisfactory to nine-tenths of our people—and that the President, mad with ambition, should spurn the offer, and declare that he would not desist from a vigorous prosecution of the war, until he had exterminated the whole race, and possessed their entire country; is there a man on this floor who would not feel himself called upon to arrest this mad scheme of Executive barbarity? There would, I trust, be but one opinion upon this subject. If the President was deaf to the voice of remonstrance, every member would feel himself impelled, by a sense of duty, by the dictates of humanity, by his constitutional obligations, to refuse to the Executive the means of prosecuting such a war. Now, this is yielding the whole principle. This, I allow, would be an extreme case; but, if Congress can withhold supplies in any case, it proves that they have the *power*, and, being the sole judges of the exigency, they may exercise this power whenever they deem it expedient.

I know the distinction which some gentlemen take between a state of peace and a state of war. They will admit that we are not bound to comply with the requests of the President, in ordinary cases, in times of peace; but when we are engaged in war, the President, being Commander-in-Chief, must be obeyed. I allow that he is Commander-in-Chief, but of what? Of the people in their civil capacity? Of Congress in their legislative character? This is the length to which some gentlemen would lead us; they would chain us to the conquering car of a military despot, and compel us to follow him in his mad career of aggression and conquest. Gentlemen, who boast of their democracy, and who are so fond of proclaiming the trite maxim, that the will of the people is the law of the land, may give themselves up to Executive dictation, and become the mere tools of their Commander-in-Chief; but I have other and higher duties to perform. I must exercise my own judgment, and follow my own sense of duty. I admit

that there is a vast difference between a state of peace and a state of war; but I have yet to learn that we must bring to the Constitution of our country any rule of interpretation in war that would not be sound in time of peace. Congress is the law-making power at all times—in war no less than in peace. There are strong reasons why Congress should be more watchful of their prerogative in war than in peace. War, from the necessity of the case, increases Executive patronage, and greatly augments Executive power. This department of the Government is never so dangerous to our liberties as when clad in armor. It is then, more especially, that the people's Representatives should take an independent stand, and bring into exercise all those checks and balances, which our patriot fathers have wisely provided for in the Constitution.

Nothing can be more alarming—nothing more dangerous to our liberties—than the views which some gentlemen appear to entertain on this subject. If we must give the President whatever he asks, simply because we are engaged in war, it would be an easy thing for some modern Cæsar, or second Napoleon, to raise himself to supreme command in this nation. Suppose some master-spirit should be raised to the Presidency, and he should aspire at absolute power, what would it be necessary for him to do? Simply to involve the nation in a war, and then Congress must give all the men and all the money his ambition might require. He would, under the pretence of “conquering a peace,” augment the military force under his command, until he had a power sufficient to establish for himself a military despotism on the ruins of our free institutions. Gentlemen may smile at this, and think there is no danger. So Rome thought when she was granting supplies to Cæsar in Gaul; but the very force put into his hands enabled him to triumph over her liberties.

But some gentlemen may say that we mistake the character of the law of war. When Congress declare war, that becomes the law of the land—a law which is not repealable by Congress like other statutes. I know, sir, that this position is substantially true; I am aware that when war is made, it can only be completely terminated by a treaty of peace, and that in this treaty, the President has the initiative. But this very fact shows the necessity of our acting with great caution, both in declaring war, and in granting means for its prosecution. The very fact that war increases Executive power, should teach us not to surrender to him powers not granted by the Constitution. It also admonishes us so to exercise our prerogative over the sinews of war, as to maintain a just balance of power. But we are told that the laws of war must be obeyed by the people and the people's Representatives. I readily admit that we must obey all laws, and submit to all legal authority. But I should like to know what law we violate, when we deny to the President any grant he may ask of us? Is there any law, fundamental or otherwise, which requires us to do his bidding in all things? I should like to be informed, by some of my good Democratic friends, what law they violated, when they voted down the bill providing for a lieutenant-general; or whether they can be regarded as law-breakers, because they rejected the Executive recommendation of a tax upon tea and coffee? Or, suppose they had succeeded in converting the ten regiment bill into a grant to employ volunteers, rather than regulars, would they stand justly charged with violating the laws of the land?

The fact is, Congress has full jurisdiction over this whole subject, in war and in peace; and may grant to the Executive what means they may judge

proper. They violate no law in granting supplies; they violate no law in withholding them. They must exercise their discretion in all cases. They have the same power, the same Constitutional right, to withhold from the Executive twenty millions of dollars for prosecuting the Mexican war, that they would have to withhold the like sum for extending the Cumberland road, or for carrying out Whitney's project of a railroad to the Pacific. If we must obey the President in his military demands, why not in his civil? He has the same power over the *raising* of a revenue, that he has over the mode of *spending* it; and if we must grant ten, fifty, or a hundred thousand men, because the President desires it, we must lay and collect taxes, regulate commerce, establish post roads, and do all other things that can lawfully be done, for the same reason. We must make and unmake Tariffs, pass or repeal Subtreasuries, allow or reject the private claims of our citizens, just as it may please our lord and master. And, Mr. Chairman, has it come to this, that all the powers of this Government are centred in one man? Are the people to be insulted in this manner? Are they graciously allowed to play the farce of choosing their own Representatives, and sending them here simply to register Executive edicts? Is this body to be shorn of all its prerogatives and powers? Must we do the bidding of James K. Polk in all things? Is he to dictate to us the policy we must adopt in relation to the all-absorbing question of the Mexican war?

"Before his pride must his superiors fall,
His word the law, and he the lord of all?"

Yes, Mr. Chairman, this is the doctrine which has been unblushingly proclaimed on this floor. The gentleman from Indiana, (Mr. Wick,) told us the other day, that when he could not go with the Democratic party, and do the bidding of the Executive, he should feel it his duty to resign, and let his constituents send a member here who would. This avowal was so gross, that I believe no one has as yet openly endorsed it. But if we analyze this matter, it will be found to be nothing more nor less than the doctrine advanced here, that we have no power or right to withhold supplies, but must grant whatever the President may please to ask. But I will not dwell longer upon this despotic doctrine. It is totally unworthy of a free Government. It would not be tolerated in the limited monarchies of Europe for a single moment. Let the Ministry advance this doctrine of passive obedience in the French Chambers, or the English Parliament, and it would produce a storm which all their influence could not control. And why should this despotic doctrine be tolerated here, in this land of civil liberty? The right of withholding supplies is an essential ingredient in a free Government. It is a popular right—the people's best security. Upon them must fall all the burdens of the war; and their voice should be heard in relation to its prosecution. This doctrine lies at the foundation of our institutions. It is sacred to all freemen, and formidable to tyrants only.

I have endeavored, Mr. Chairman, and I think, successfully, to show that Congress has the Constitutional right to withhold supplies from the Administration in time of war. I admit that withholding supplies is rather an extreme measure. It is like the veto power of the President—a power never designed for ordinary exercise. I am no advocate for lawless opposition to any Administration. I would justify no factious act. The question before us is, whether, on a full view of the whole ground, the present case will justify the exercise of this lawful prerogative. Every one who has paid any attention to the progress of our institutions, must have witnessed the constant increase of Executive prerogative and power. The veto power has

now become an ordinary power in the hands of the President, and no Chief Magistrate has ever been guilty of a greater abuse of it than the present incumbent of the White House. This abuse of the veto power justly merits the rebuke of Congress. But his conduct in relation to this war is still more reprehensible. And it becomes those to whom the people have entrusted their rights to assert their prerogative, and curb the mad ambition of the Executive. I would not withhold supplies on any ordinary occasion. But I maintain that the present is not an ordinary occasion. The President, who had sworn to support a Constitution which denies to him the war-making power, by giving it to Congress alone, ordered our army into the territory of a nation with which we were at peace, and thus commenced hostilities without the consent of Congress, though they were then in session, and could have been consulted at any moment. We have seen the President, after he had commenced this unnecessary war, come before the very Congress whose prerogative he had invaded, with a declaration that "Mexico had invaded the United States, and shed American blood upon American soil"—a declaration which has been shown over and over again to be totally at variance with the facts in the case. In his Message of May 11, 1846, the President gave every assurance that he had no designs of conquest, but simply sought an honorable peace. "I deem it proper to declare," says he, "that it is my anxious desire not only to terminate hostilities speedily, but to bring all matters in dispute between this Government and Mexico to an early and amicable adjustment." But as early as May 15th, only four days after the President's assurance of a desire for peace, his Secretary of the Navy, Mr. Bancroft, in his orders to Commodore Sloat, discloses the intention of the Government to seize and hold California; and he directs him to "conciliate the confidence of the people in California, and also in Senora, towards the Government of the United States; and to endeavor to render their relations with the United States as friendly as possible." On the 8th of June, Mr. Bancroft instructs the Commodore as follows: "It is rumored that the province of California is well disposed to accede to friendly relations with the United States. You will encourage the people in that region to enter into relations of amity with our country. You will take such measures as will best promote the attachment of the people of California to the United States, will advance their prosperity, and *will make that vast region a desirable place of residence for emigrants from our soil.*" The Secretary of War, Mr. Marcy, gives similar instructions to Gen. Kearny, as early as June 3, 1846; and the famous letter of Mr. Marcy to Col. Stevenson, in relation to his California regiment, establishes the general policy of the Administration, and shows that two days after the declaration of war the President had resolved to make it a war of conquest.

The very fact that the war has been prosecuted in the remote and sparsely populated province of California, proves most conclusively that conquest alone is the object. Why attempt "to make that vast region a desirable place of residence for emigrants from our soil," unless it was to be added to the United States? It would do nothing towards subduing Mexico, to take possession of that distant province; and hence we are bound to believe, that its capture was designed as a means of holding and possessing it. In fact, Mr. Secretary Bancroft, in his letter to Commodore Sloat of July 12th, declares, that it is important to have the territory in our possession at the time of a treaty, that it may be left in our hands. "The object of the United States," says he, "has reference to ultimate peace with Mexico; and if, at that peace, the basis of the *uti possidetis* should be estab-

lished, the Government expects, through your forces, to be found in actual possession of Upper California." If there was any other evidence necessary, that the war is one of aggression and conquest, it will be found in the Message of the President at the opening of the session. He tells us expressly, that Mexico must pay the expense of the war. But how will she be able to do that? She has failed to pay the instalments on the indemnity due to our citizens from pecuniary inability, and does the President expect that she will make so much by the war, as to enable her to pay some fifty or sixty millions in gold and silver? Does he not know that she has nothing but territory with which to pay the expenses of the war? Has he not himself informed us, that she is too poor to make a treaty? And does he not, on that ground, ask Congress to put three millions into his hands, that he may be enabled to bribe the Government and the soldiers, so that they may be kept quiet till a treaty can be made and ratified? The declaration of the President, that Mexico must indemnify us for the expenses of the war, amounts to a declaration, that we are prosecuting the war for acquisition of territory, and that he will not make peace till Mexico consents to the dismemberment of her Republic.

This war is rendered extraordinary, not only from its unconstitutional commencement and aggressive character, but also from the prospect of success with which it is attended. I know the bravery of our troops; I allow the skill of our officers; they can perform any thing but impossibilities; but Nature has set bounds to all human efforts. Mexico has a population of ten or eleven millions, being about half that of ours; and this population is spread over a territory one-third larger than that of the United States. A nation which acts upon the defensive, has always an advantage over the invaders. Nature has also guarded Mexico at almost every point. If we attack her from the Gulf, we have to encounter all the perils of a dangerous sea and a pestilential shore. If we attempt to penetrate into her country, we meet with her arid plains and dangerous mountain passes—bulwarks prepared by Nature for her defence. At one season of the year the "windows of heaven are opened," and the almost incessant rains forbid military operations; at another, the "rivers are turned into a wilderness, the water springs into dry ground," thereby subjecting an invading army to hunger, thirst, and almost every privation. The habits of that people also adapt them to a wandering life, and enable them to subsist where our army would perish, unless supplied with provisions from their own country. With all these obstacles in our way, and all these natural advantages in their favor, we carry on the contest at fearful odds.

Thus far, we have been victorious in every battle; but what have we gained? We have marched several hundred miles into the enemy's country, far away from our supplies, and have just arrived at a point where victory yields us no particular advantage, and where defeat would be ruin. Every city we capture swallows up a portion of our army, and diminishes our ability to proceed. Every step we advance takes us farther from our supplies, and renders our position more dangerous. And while all these causes are impediments in our way, and expose us to new dangers, they operate in favor of our enemy. This very invasion has given union to their councils, stability to their Government, and desperation to their troops. While our troops are dragging their lives out in a foreign war, these despised Mexicans are fighting for their own country—the land of their birth—for their homes, their firesides, and, above all, for their religion.

It is not possible, sir, to conquer such a people, if they are only united

and determined. You may march into their country; you may capture their towns; you may route their armies, and lay waste their villages; but you cannot conquer them. If your force is large, they will cut off your supplies and starve you into submission; if your force is small, they will cut you off in detail.

What prospect, then, have we for success in this foreign war of conquest in which we are now engaged? What has been our success thus far? We have conquered in every battle; we have gained three victories; we have marched far into the country, and, to all human appearances, we are farther from a peace than we were when the first gun was fired. We have called out some twenty-five thousand volunteers, and have employed our regular army, and (to say nothing of our naval disasters,) what have we gained? We have had victories without advantages. We have taught the Mexicans that they cannot compete with us in the open field, and they have taught us that we are not a match for them in guerilla warfare. We have been teaching them the art of war; we have made them acquainted with our tactics; we have shown them where their weakness and where their strength lies, and they appear to be profiting by the lesson. And, on our part, we have learned a lesson which should prove a salutary one. We have learned that pestilence and the sword will decimate our forces every three months, and thus thin our ranks some thirty-five per cent. in a year. Our late associate, Col. Baker, declared, in his speech on this floor, that of his regiment of 820, about 100 had left their bones in the valley of the Rio Grande, and that about 200 more, worn down by hardships and emaciated by disease, had been dismissed to perish by the way, or to find their graves with their friends at home; that all this mortality had taken place in about six months, and that his regiment had never seen the foe. He also informed us, that what was true of his regiment was generally true of other regiments of the volunteers.

We have a similar lesson from the answer of the Adjutant General to a resolution of the House, which was submitted a few days since. We are informed by that document, that, in a period of from sixty to ninety days after the volunteers had joined the army in the field, their numbers were reduced by desertion 331; by deaths in battle 76; by disease 637; and by discharges, in consequence of sickness and disability, between two and three thousand; making, in all, 4,100 men; being at the rate of 20 per cent. in two and a half months, or about 80 per cent. per annum. This estimate does not include the sick which remain with the army. No doubt the period of the year covered by this return, is more sickly than the year would average. But, from the best information I am able to obtain, I think we may safely calculate that our army in Mexico will be reduced 40 per cent. per annum; one half by deaths from the sword and disease, and the other half from sickness and debility of such a character as would justify a discharge. Many of those discharged would perish before they could reach their homes, and others might reach their friends mere walking skeletons, showing the glory of a campaign of conquest.

Military men, and those best acquainted with the country and its defences, are of the opinion, that to prosecute the war with vigor, would require a force of sixty or seventy thousand on the land, to say nothing of our naval force in the Gulf and on the Pacific. This force, in a single year, would be reduced nearly one half by death and disease; and, after leaving a sufficient garrison at Matamoras, Camargo, Monterey, Saltillo, Victoria, Tampico, San Louis Potosi, Vera Cruz, and other places in your rear, you would

hardly have 25,000 with which to commence your march for the halls of the Montezumas. How many of these would fall in the mountain passes, those Thermopylæ of Mexico, before reaching the famous city, and how many would be lost in the attempt to possess it, it is impossible to say; but, judging from the resistance at Monterey, we have reason to believe that our victories would be dearly bought. In such an enterprise, we should be successful or unsuccessful. If victory crowned our arms, we should be in possession of the capital of that Republic; but what then? If the Mexicans were united and determined to resist, this would do nothing towards subduing them. We should be in the heart of their country, where they could cut off our supplies, and perhaps destroy our army. Our military commanders might "revel in the halls of the Montezumas," as Napoleon did in the Kremlin of the Czars, but Mexico might prove to us what Moscow did to the French in that eventful campaign. Success in reaching the city might prove to us as it did to Napoleon in that case—the destruction of all our hopes, and the loss of our gallant army. But, if we should be unsuccessful in our attack upon the city of Mexico, our army would probably be cut off. Once routed, we should find but little mercy from the Mexican population in our rear. They would rise as one man, and wreak their vengeance upon our flying forces.

I am fully aware that the idea of defeat hardly enters into the calculation of those who are warmly devoted to this war. They speak of the prowess of this nation, as though we could successfully meet the world in arms. I am not insensible of our power in a war of defence—fighting for our own soil and institutions, our homes and altars, we should be invincible. But when we engage in a war of conquest, prosecuted far from our own country, and in the heart of the enemy's, the case is entirely different. The example of Napoleon in Russia, to which we have already alluded, should make us pause. The war prosecuted by Napoleon in Spain is an example in point; and Mexico or New Spain may prove to us what old Spain did to the well-appointed armies of that mighty captain. We may take possession of the cities of Mexico, and hold them as the French have held Algiers for the last fifteen years; and we may find, as France has, that the possession is not worth the cost. We may prosecute the war as we did the war in Florida, at great expense of blood and treasure; and the glory which will encircle our brow in the one case, will be as great as it has proved in the other. With an adequate force in Mexico, we may expect to lose twenty thousand, annually, during the war. And who can be indifferent to this wanton sacrifice of human life? Will the moral and religious feelings of our people acquiesce in such a murderous policy for the unholy purposes of conquest? Is new slave territory to be purchased at such a sacrifice of blood? The very idea is revolting. If we believe in an overruling Providence—if we allow that God rules in the armies of heaven, and among the inhabitants of the earth, and punishes nations for their sins, may we not fear that his judgments will fall upon this people? Can we expect that the God of battles will crown our arms with ultimate success? We may be prospered for a season; we may go on conquering and to conquer, till the measure of our iniquity is full; but the time will come, when this insatiate lust for dominion, this disregard of the principles of justice and humanity, will bring upon this nation the calamities which have befallen other republics.

We see in the case before us a fruitful source of discord. The war was commenced for the conquest of territory to convert into slave States. The most that the Administration desire in the first instance, is to acquire the

territory. The South declare upon this floor that if territory is acquired, it must be slave territory ; that they will not submit to be surrounded by a cordon of free States. On the other hand, the North have resolved, and firmly resolved, that not another foot of slave territory shall be added to the Union. Here, then, an issue is directly made, and I have no doubt but that the North will be found true to her principles, when the day of trial comes. You may flatter yourselves with the prospect of buying up northern votes ; you may find men here who will betray their friends, and attempt to commit their constituents ; but when they return to their homes, and submit their claims to their constituents, they will find an indignant and betrayed people ready to give them the traitor's due. I should like to know whether the honest yeomanry of Pennsylvania will allow their representatives on this floor to disregard their feelings with impunity, and trample the resolves of their legislature in the dust ?

I tell you, Mr. Chairman, that the North will stand firm. You cannot judge of the present by the past. Within two years there has been a radical change in public sentiment in the free States. The Texas outrage, followed by this iniquitous war, both for the extension of slavery, has brought the people to their senses. From the State of Maine, from the granite hills of New Hampshire, from united New England, the word has gone forth, and the glorious response from New York, from Pennsylvania, from Ohio, leaves no doubt on the subject of public feeling. The sentiment is deep-rooted ; it is a strong religious conviction that slavery is a curse, and is at war with the best interests of our country and of humanity. A great moral revolution has commenced, and such revolutions can never go backward. They have seen this Administration breaking through the barriers of the Constitution to sustain and extend slavery, and the people in the free States have resolved that the evil shall extend no farther. I say to the South in all frankness, you will find northern sentiment immovable on this subject, "as firm as nature, and as fixed as fate." And I will say to these Democrats of the North, who are fawning around this weak Administration, and betraying northern interests, that they may pick the crumbs which fall from the Executive table—you are treasuring up for yourselves wrath against the day of wrath. You may league all your forces with those of the President, you may give him all the aid in your power, in the prosecution of this war of conquest, that the free territory of Mexico may be brought into this Union to increase the slave power, but your labor will be fruitless. You may at this time meet with partial success ; you may vote down the anti-slavery proviso, but it will rise again and haunt you like the ghost of Banquo. Another Congress will be here before this subject can be finally disposed of ; and, being more fresh from the people than yourselves, they will speak a different language. You may attempt another compromise with slavery, but the people will discard it. You may make a covenant with that institution, and bind yourselves to its support, but I tell you, in the strong language of the Hebrew prophet, "Your covenant with death shall be disannulled, your agreement with hell shall not stand ; when the overflowing scourge shall pass through, then ye shall be trodden down by it."

Do not all these considerations, sir, show that the war in which we are engaged is one of no ordinary character ? I have attempted to show, and I think not without success, that the war is aggressive on our part ; that it was commenced by the Executive in contravention of the Constitution, and that without any just cause ; that it is prosecuted for the unholy purpose of

dismembering Mexico, that her territory may be brought into the Union as slave States, thereby giving the South a perpetual preponderance in our national councils; that the war must be attended with a vast sacrifice of blood and treasure; that defeat may ultimately befall our army; and that success might bring into the Union a question more dangerous to our peace than any army of Mexico—more fatal to our Union than all other causes combined. I have also attempted to show that the President, deaf to public sentiment and public remonstrance, seems determined to prosecute this unjust and aggressive war, regardless of consequences. It seems to me that if there ever was a case which required the interference of Congress, this is that case. If we, as representatives of the people, have the right to control the means, the circumstances connected with this war, and the character of the war itself, demand the exercise of this right.

On a subject of this magnitude every one must judge for himself. I am not authorized to speak for others, though I know that many others concur with me in opinion. I must act on my own responsibility, and I cheerfully accord the same liberty to others. Nor is it, perhaps, strange that there should be a difference of opinion in relation to this policy. Those who believe that the war is just; that it is prosecuted wisely, with a good prospect of success; that dismembering Mexico is a justifiable object, and that it will prove a blessing to this country, will, of course, see no reason why they should restrain the Executive by withholding supplies. But those who entertain the opposite opinion—who regard the war as unnecessary and unjust—who believe that the dismemberment of Mexico would be an outrage, and bringing territory into the Union by conquest will endanger its existence—must, as it seems to me, see no reason why they should not take measures to arrest this evil and avert this calamity. I can judge only for myself; but I am free to declare that, believing as I do, that the whole affair is politically and morally wrong, I could not justify myself in giving to the President the means of bringing dishonor upon our national character, and of endangering the peace of the Union, by attempting to extend the institution of slavery. I feel that I should be guilty of gross inconsistency—of unmanly cowardice—of a political and moral wrong—of a sin in the sight of God, if I lent my influence to the prosecution of such a war. As a faithful representative, as one sworn to support the Constitution, and to promote the best interests of my country, I cannot, I will not do it, come what may.

But I may be asked, whether I will desert my country in the hour of her peril; whether I feel indifferent to the glory of our country, and the honor of her flag? Mr. Chairman, I owe allegiance to my country; and, instead of deserting her in the hour of her peril, I cling to her the stronger as her dangers increase. A fond regard for my country has induced me at this time to speak in her behalf, and to utter sentiments which I know will not be approved by some of my personal and political friends. I see her in danger. Her Constitution has been assailed; its sacred principles have been violated by one who has been placed as their guardian. The Executive has invaded the sacred prerogative of Congress by exercising the war-making power. I see the Constitution in danger in another respect. We have been told on this floor, by several gentlemen, that the Executive is supreme in time of war, and that we are bound to give him whatever he may ask. Here, again, I believe that my country is in danger of having her fundamental law so interpreted as to convert her form of Government into a military despotism. And, in such an hour of

danger, I should be recreant to duty, did I not raise my feeble voice in her behalf, and in behalf of her free institutions. I have, I trust, a just sense of the honor of my country, and hence I wish to save her from disgrace. I believe that her fair fame has been tarnished by being plunged into an unjust war—a war of conquest and aggrandizement; and my regard for her honor induces me to do all in my power to rescue her from infamy. I desire the honor of her flag, and hence I deeply regret that it has been unfurled in any but a righteous cause. I hope that that proud banner may ever float “o’er the land of the free and the home of brave;” and hence I regret that it has been unfurled in a foreign land.

But some gentlemen speak of the honor of our flag, as though it could only be sustained by rushing madly into the very heart of Mexico. I would sustain the honor of our flag by bringing it within our own territory. I would plant it upon our own soil, and, as far as I have the power, I would there sustain it; I would suffer no foreign foe to trail it in the dust. I believe that the glory of the country and the honor of the flag require that our troops should be recalled from Mexico, and brought within our own borders. I fear no disgrace from such a course. I would have this great nation act worthy of herself. I would have her proclaim at once to Mexico, and through her to the world, that we are not actuated by ambition; that we have no designs upon the integrity of her territory; that we seek nothing but peace on just and honorable terms. I would, on such announcement, withdraw our army, and propose negotiation for peace, on the condition that, in case of disagreement, the subject should be submitted to arbitration. Would the honor of the country suffer by a course like this? Would it not, on the contrary, be the brightest page in our history, and do more than a thousand victories to elevate us among the nations of the earth? No nation would ascribe such a course to cowardice, but rather to magnanimity—to true greatness. Such an example would be worth more to this country, and to the world, than all the wealth of the mines of Mexico.

But gentlemen would have us understand that the honor of the country would be tarnished, and the glory of our arms dimmed by a recall of our troops. But what do these guardians of our nation’s honor ask us to do? Why, to put three millions of dollars into the hands of the President, that he may *buy a peace* with Mexico; that he may bribe Santa Anna and some of his rival chiefs to give us a peace, so that we may safely bring our army within our own borders. This, then, is the glory to which some gentlemen aspire!—this the deathless renown they would procure for our arms! Away with this senseless declamation about the honor of our country and the glory of our flag. If our Democratic friends are so jealous of our country’s honor, let them pass in review the conduct of their own President. Mr. Calhoun, as we have already seen, in his report recommending the war of 1812, places the sending of a British agent here in time of peace, to foment discontent and to produce disunion, among the greatest insults and grossest outrages of which a nation could be guilty. And yet the President of the United States virtually confesses that he has been guilty of a similar outrage against a sister republic. The President informs us that, on the thirteenth of May last—the very day on which war was declared against Mexico—he gave orders to Commodore Conner to let Santa Anna pass through the fleet into Mexico, in the belief that he would produce discord and revolution, which might prove beneficial to us. But on what ground did he found these expectations? On intrigues entered into with Santa Anna in

time of peace. The President says: "Information that he (Santa Anna) was hostile to the establishment of a monarchy and to European interference in the affairs of his country, had been received, from sources believed to be reliable, at the date of the recognition of war by Congress, and was afterwards fully confirmed by the receipt of the despatch of our consul in the city of Mexico." So that it appears that the President, through his agents, had been plotting with the treacherous Santa Anna to revolutionize a country with which we were at peace!—had been guilty of an outrage such as Mr. Calhoun declared to be a just cause of war! And now the servile tools of this same Executive have such profound regard for the honor of our country, that they cannot consent to have our army withdrawn from a foreign soil!

But we have been asked whether we would withhold supplies, and so permit our gallant little army to suffer for the want of clothing and provisions. All such inquiries are founded in gross ignorance, or else are designed to mislead the public. I would vote all money necessary to pay debts which have been already contracted, so that third persons should not suffer. I would sustain the plighted faith of the nation in every case of that character. But the general appropriation bills are prospective in their operation. The thirty millions we are asked to appropriate for the army, does not take effect till the first of July next, and extends to July, 1848. It is entirely prospective, and has reference to the prosecution of the war seventeen months hence. By withholding this appropriation, or, by reducing it one-half, we should not injure those gallant men now in the field. We should simply prevent the Executive from sending thousands of others to that land of pestilence and death. As far as men and money should be necessary to bring off our army in safety, I would cheerfully grant them. And, even in a military point of view, I would withdraw our army to our own territory. In that event, our old standing force of eight or ten thousand would be amply sufficient to guard our frontier. All our volunteer force might at once be dismissed, and the expenses of the war reduced more than three-fifths.

And why may not such a step be taken? A vast majority of the people in the United States would approve of it, and it commends itself to a majority of this House. I am firmly of the opinion, from what I have heard myself, and learned from others, that if the gentlemen on this floor would forget their party ties, and summon moral courage sufficient to enable them to follow their own judgment, we could pass a resolution this day, recommending to the President to recall our military force from the soil of Mexico. But, Mr. Chairman, we have fallen upon evil times. The ties of party are stronger, I fear, than the love of country. Many, very many, advocate the prosecution of the war, when, at the same time, they condemn and loathe it. Some of my own political friends declare, that it is good policy to prosecute the war, as it will effectually break down and use up the present Administration. I believe, sir, most sincerely, that the war will break down the present Administration; but I cannot prosecute it for such a purpose. I cannot entail upon posterity a debt of \$100,000,000 for the paltry purposes of party. I cannot sacrifice twenty thousand of our citizens annually, for the purpose of bringing more odium upon the present occupant of the Presidential Chair. I never will consent to play at a game, where the lives of my countrymen are the stakes.

But it is said that we should grant supplies, and then hold the Administration responsible when the war is over. Hold them responsible, when

the mischief is done, and the Administration has retired! I can conceive of nothing more preposterous. If an injury is done to the country, that injury cannot be repaired. Hold the President responsible! Hold John Tyler responsible for his Texas treaty. The fact is, that there is but little responsibility in the Executive when he is in office, and none at all when he has retired; and you might with as much propriety talk of holding a bankrupt responsible for a debt, as of holding any President responsible after he has retired from office.

But it is said that we are in war and must fight it out—we must have peace. I agree with gentlemen that we are in war, and I go with them most ardently in desiring peace. But the question is, how shall it be obtained? *Fight it out*, we are told. If that was the only mode of obtaining peace, I might join in the cry. But it seems to me that we are not brought to this extremity. Let us propose to Mexico just and honorable terms of peace, and if she refuses to treat, then there will be some propriety in prosecuting the war. I am aware that it will be said, that we have made overtures for peace, and they have been rejected. We have made no direct overtures that I am aware of. We have made a proposition to open negotiations, but it was attended by a condition totally unworthy of this country or this age, viz., that we should continue prosecuting the war vigorously, not only till the treaty was signed, but *until it should be ratified by the Mexican Government!* The President had no just reason to expect that Mexico would close with such a proposition—a proposition which we should have spurned with indignation, had it been made to us.

Mr. Chairman, while I confess I see no reason to expect a speedy return of peace, I believe that it is in the power of this Congress to arrest this war within three months; and thus bring, not only the blessings of peace, but lasting honor upon our country. I would adopt a Joint Resolution, advising the President to announce to Mexico and the world, that we have no desire to despoil her of her possessions; that we ask nothing but a settlement of our boundary on fair and liberal terms, and the payment of the indemnity justly due to our citizens; that we will at once withdraw our army from her territory, and, on her consenting to treat, our fleet should be withdrawn from her ports. Let this fair and honorable proposition be made to Mexico, and I have no doubt but that she would accept it. She would see at once that it was favorable to both parties, and, believing it to be our ultimatum, she would expect nothing better. The great nations of Europe, England and France, would use their influence to induce her to comply; and thus friendly relations would be restored between the two great North American Republics.

But I fear that other counsels will prevail; that thirst for dominion will overcome our love of justice; that a false sense of honor will lead us on in the unholy work of human butchery, and that our young men, by tens of thousands, are yet to perish in the "high places of the field," to gratify the mad ambition of a weak and wicked Administration. For one, I will wash my hand of "blood unprofitably shed;" and will do all in my power to avert the awful calamity which the prosecution of an unrighteous war may bring upon the nation. If Jefferson, in his day, was compelled to say, in view of the existence of slavery, "I tremble for my country, when I reflect that God is just;" what must be the apprehension of the Christian statesman, when he contemplates this great Republic, boasting of its freedom, exerting its powers to dismember a free Republic in order to extend slavery over a territory now free—a territory as large as the old thirteen States!

